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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,184	08/02/2001	Edward O. Clapper	42390P11330	7545

21906 7590 01/24/2003

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HOUSTON, TX 77024

EXAMINER

TIEU, BINH KIEN

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 01/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/922,184

Applicant(s)

CLAPPER, EDWARD O.

Examiner

BINH K. TIEU

Art Unit

2643

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 13 January 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☒ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: Please the attached sheets, thanks.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

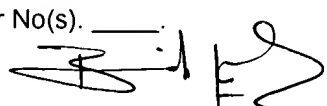
Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 6-10, 17-20.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

  
BINH K. TIEU  
Primary Examiner  
Art Unit: 2643

### ADVISORY ACTION

1/. In response to the Applicant's argument stated in the first paragraph, page 2 of his remarks in response to the Final Office Action wherein the Applicant stated as following:

**"...there is nothing in either of the references that enables the video representation to be utilized to receive a request to playback one of the encoded audio communications..."**

The Examiner respectfully disagrees with the Applicant's arguments as stated above.

First of all, McAllister et al. ("McAllister") teaches in column 8, lines 28-31 **"...The caller may then provide a brief voice message which is converted to an appropriate audio file format, such as a WAV or MP3 file, and transmitted as an attachment to an e-mail message..."**

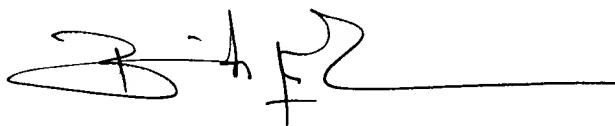
McAllister further teaches in column 8, lines 34-38 **"...a message is sent to the purchasing department indicating that a message has received from John Smith by the autoattendant system at 3:26 p.m and is being forwarded as an attachment to the e-mail."** Thus, at this point, it should be understood that one of the agent terminal at the purchasing department should receive this e-mail message with the attachment, and the e-mail message should be displayed on the agent terminal's display unit in the video representation format as shown in figure 4. It should be also understood that the messages displayed on the agent terminal's monitor or display unit such as ones in figure 4, other than the icons as disclosed in the applicant's invention, are also called video representation. Once the e-mail message with the audio voice attachment, represented as audio communications between the autoattendant system and the caller, is reached and displayed to one of the agent terminal as shown in figure 4, **the agent terminal, of cause, will click on such video representation e-mail message in order to playback the brief voice message and other information related to and left by the caller.** Therefore, the Examiner

Art Unit: 2643

carefully thinks and believes that McAllister reference inherently teaches the feature of playing back one of the encoded audio communications between the autoattendant system and the caller.

2/. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (703) 305-3963 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

A handwritten signature in black ink, appearing to read 'Binh Tieu', with a long horizontal line extending to the right.

**BINH TIEU  
PRIMARY EXAMINER**

Art Unit 2643

Date: January 16, 2003